

# State of South Dakota

## SEVENTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2000

390D0489

### SENATE BILL NO. 120

Introduced by: Senators Kloucek, Flowers, Lange, Moore, and Valandra and Representatives  
Chicoine, Diedtrich (Elmer), Koehn, Lockner, Nachtigal, Volesky, and Waltman

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the removal of Game,  
2 Fish and Parks commissioners from office.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 41-2-5 be amended to read as follows:

5 41-2-5. The Governor may remove a game, fish and parks commissioner for ~~inefficiency~~,  
6 neglect of duty; or misconduct in office after giving ~~him~~ the commissioner a copy of the charges  
7 ~~against him~~ and opportunity to be heard publicly in person or by counsel ~~in his own defense~~,  
8 upon not less than ten days' notice. If ~~such~~ the commissioner ~~shall be~~ is removed, the Governor  
9 shall file in the office of the secretary of state a complete statement of all charges made against  
10 ~~such~~ the commissioner and ~~his~~ the Governor's findings thereon, together with a complete record  
11 of the proceedings.